

REMARKS

Claims 52-54 are pending. All claims stand rejected. Applicant respectfully requests that the claims be reconsidered in view of the following.

CLAIM OBJECTIONS

The Office Action, at page 2 paragraph 2 sets forth "claims 51-54 are objected to" as containing informalities. Applicant assumes that the inclusion of claim 51 is an error as claim 51 is not presently pending.

The specifics of the objection are "claim 52 line 1 reads 'the value a phone card,' should read 'the value of a phone card' and 'claim 54 line 4 'and or' should be changed to 'and/or'." Applicant has amended claim 52 to correct the typographical error and canceled claim 54. Therefore, applicant respectfully requests that the objections to claim 52-54 be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

The Office Action, at page 2 paragraph 4 sets forth "claims 52-54 are rejected under 35 U.S.C. 112, second paragraph." Specifically, the Office Action finds that "Claim 52 preamble recites 'A phone card revaluing method.... However, there is no limitation(s) that recite step(s) that perform revaluing or altering the value of a phone card...". Applicants have amended claim 52 to correct this error. Therefore applicant respectfully requests that the rejection of claim 52 under 35 U.S.C § 112 be withdrawn.

With respect to the rejection of claim 54 under 35 U.S.C. §112, second paragraph, this rejection is obviated by the cancellation of claim 54.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The Office Action, at page 2 paragraph 6 sets forth "claims 52-54 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Molano et

al. (US Pat. 6,330,978).” Applicant respectfully submits that this rejection is overcome by the amendments to the claims for the reasons set forth below.

Applicant’s invention, as recited in claim 52 (as amended), includes features which are not disclosed or suggested by Molano et al., namely:

... retrieving a plurality of transaction data from said phone card...

... communicating said transaction data to a universal server based on a dynamic identification interchange within the universal server...

...transferring funds either i) between accounts held by the user or ii) between an account held by the user and the phone card to increase the value of the phone card, based on the dynamic identification interchange within the universal server. (Emphasis added)

These features are described in applicant’s specification, for example, at page 9, lines 12-15, page 25, lines 21-28, page 26, lines 24-32, page 29, lines 3-20, page 38, line 30 through page 39, line 8, and page 45, line 24 through page 46, line 6.

According to claim 52, a method for revaluing a phone card includes i) retrieving a plurality of transaction data from the phone card, ii) communicating the transaction data to a universal server based on a dynamic identification interchange within the universal server, and iii) transferring funds either between accounts held by the user or between an account held by the user and the phone card to increase the value of the phone card, based on the dynamic identification interchange within the universal server.

Molano is relied on as “[teaching] a phone card revaluing method for altering the value of a phone card by way of an electronic terminal system...” Office Action at page 2, paragraph 6 (emphasis in original). Molano does not disclose or suggest, however, i) communicating transaction data to a

universal server based on a dynamic identification interchange within the universal server and ii) transferring funds either between accounts held by the user or between an account held by the user and the phone card to increase the value of the phone card, based on the dynamic identification interchange within the universal server. In fact, the Office Action readily acknowledges “Molano fails to explicitly teach the step of communicating said transaction data to a universal server.” Office Action at page 5, paragraph 8.

Applicant notes that the convert data step, relied upon in the Office Action at page 5, paragraph 8 as being disclosed by Renner, is merely a conversion of information stored on the smart card into a data stream locally at the card reader (“convert data stored on smart card 215 into either a Weigand effect signal, a magnetic strip signal, or a bar code signal.” Col. 5, line 36-40) rather than applicant’s dynamic information interchange provided within a remote universal server. There is absolutely no disclosure or suggestion in Renner of any information interchange provided within a remote universal server, let alone applicant’s dynamic information interchange.

In contrast to Molano and Renner, applicant’s invention, as recited in claim 52, specifies that an electronic commerce terminal allows a user to alter the value on a phone card by i) communicating transaction data to a universal server based on a dynamic identification interchange within the universal server, and ii) transferring funds either between accounts held by the user or between an account held by the user and the phone card to increase the value of the phone card, based on the dynamic identification interchange within the universal server.

It is because applicant has included the features of i) communicating transaction data to a universal server based on a dynamic identification interchange within the universal server, and ii) transferring funds either between accounts held by the user or between an account held by the user and the phone card to increase the value of the phone card, based on the dynamic identification interchange (DII) within the universal server, that applicant is better able to manage their financial resources. Neither Molano nor Renner alone or in combination achieve this advantage because neither reference

is not concerned with transferring funds between accounts held by the user or to increase the value of the phone card based on DII within a universal server.

For the reasons set forth above, claim 52 is neither disclosed nor suggested by Molano (and/or Renner), thus, claim 52 is not subject to rejection under 35 U.S.C. §102(e) as being anticipated by Molano (or subject to rejection under 35 U.S.C. §103 as being unpatentable over Molano in view of Renner). Therefore, applicant respectfully requests that the rejection of claim 52 be withdrawn and the claim allowed.

Claim 53 depends upon claim 52 and, thus, is likewise not subject to rejection for at least the reasons set forth above with respect to claim 52.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The Office Action, at page 5 paragraph 8 sets forth "claim 54 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molano et al. ... and further in view of Renner et al. (US Pat. 6,223,984)."

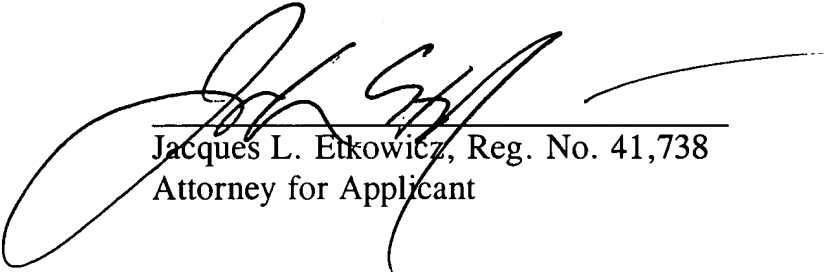
To expedite examination applicant has canceled claim 54 without prejudice. Applicant reserves the right to reinstate this claim in the future, after securing allowance of the pending claims.

Claim 65 and 66 are added and are dependent on allowable claim 52. Basis for these claims is found in applicant's specification at page 29, lines 17-20 and page 38, lines 6-13. These claims do not add new matter. Applicant respectfully requests that claims 65 and 66 be entered and examined.

In view of the amendments and remarks set forth above, Applicant respectfully submits that claims 52, 53, 65 and 66 are in condition for allowance and early notification to that effect is earnestly solicited. Reconsideration and allowance of all pending claims is respectfully requested.

Respectfully submitted,

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Attachment: Version with Markings to Show Changes Made

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9/18/02

Ann Linto

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please cancel claim 54.

- 1 52. (Amended) A phone card revaluing method for altering the
2 value of a user's phone card by way of an electronic commerce terminal system
3 comprising the steps of:
- 4 a) detecting a phone card has been inserted or swiped in a card
5 reader;
- 6 b) retrieving a plurality of transaction data from said ~~smart~~-phone
7 card;
- 8 c) communicating said transaction data to a universal server based on
9 a dynamic identification interchange within the universal server;
- 10 d) evaluating the validity of said transaction data; ~~and~~
- 11 e) processing said transaction data; and
- 12 f) transferring funds either i) between accounts held by the user or ii)
13 between an account held by the user and the phone card to increase
14 the value of the phone card, based on the dynamic identification
15 interchange within the universal server.

Claims 65 and 66 are added.